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# University of Santa Clara School of Law 1971-72

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# UNIVERSITY OF SANTA CLARA BULLETIN

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SCHOOL OF LAW 1971-72



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**UNIVERSITY OF SANTA CLARA**

**SCHOOL OF LAW 1971-72**







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# Law School Calendar 1971-72\*

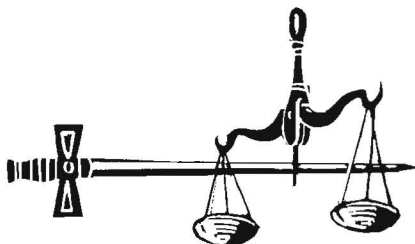
## Fall Semester

September 6	Monday	Labor Day, Administrative Holiday.
September 17	Friday	Law School Registration.
September 18	Saturday	Orientation (First Year Law Students only).
September 20	Monday	First Day of Class—Fall Term.
November 25-26	Thursday-Friday	Thanksgiving Recess, Academic and Administrative Holiday.
November 29	Monday	Classes resume.
December 11-January 2	Saturday-Sunday	Christmas Recess.
December 23-26	Thursday-Sunday	Christmas Administrative Holiday.
December-30-January 2	Thursday-Sunday	New Year's Administrative Holiday.
January 4	Tuesday	Classes resume.
January 14	Friday	Martin Luther King's Birthday, Academic and Administrative Holiday.
January 21	Friday	Last Day of Class—Fall Term.
January 24-February 5	Monday-Saturday	Fall Term Examination Period.

## Spring Semester

February 7	Monday	Registration for Spring Semester.
February 8	Tuesday	First Day of Class—Spring Term.
February 18	Friday	Last day to file for J.D. Degree to be conferred in June 1972.
February 21	Monday	Washington's Birthday, Academic and Administrative Holiday.
March 31	Friday	Good Friday, Academic and Administrative Holiday.
May 19	Friday	Last Day of Class—Spring Term.
May 22-June 16	Monday-Friday	Spring Term Examination Period.
May 29	Monday	Memorial Day, Academic and Administrative Holiday.
June 17	Saturday	121st Commencement.

\* All dates are inclusive dates.



1971

## JANUARY

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## FEBRUARY

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## MARCH

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## APRIL

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## JUNE

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## JULY

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## SEPTEMBER

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## OCTOBER

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## JANUARY

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## FEBRUARY

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## MARCH

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## JUNE

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## AUGUST

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## OCTOBER

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## NOVEMBER

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## DECEMBER

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## HISTORICAL PERSPECTIVE

On January 12, 1777, six months after the signing of the Declaration of Independence, a cross was planted at a site in the present city of Santa Clara by a Franciscan Padre, Tomas de la Pena, to mark the founding of the eighth of California's original twenty-one missions, Santa Clara de Assis.

Three quarters of a century elapsed before the University of Santa Clara or Santa Clara College as it was first known, opened its doors as an institution of higher learning. In the intervening years, however, the Mission served as a spiritual center and school for the Indians.

In 1851, the new Dominican bishop of San Francisco, Joseph Sadoc Alemany, asked the Jesuit Father John Nobili, formerly of the Oregon Missions, to begin a college at the Mission of Santa Clara. During the first academic year, 1851-52, Father Nobili and a faculty of three other Jesuit priests and four competent lay professors gave instruction to twenty-six students in arts, sciences, music and drama.

April 28, 1855, Santa Clara College received its charter from the State of California in full legal approbation of the school's academic functions. Slow but steady growth followed and distinguished graduates became prominent members of California life. However, it was not until the Schools of Law and Engineering were founded in 1912 and the courses in the Humanities and the Sciences were expanded that the College became the University of Santa Clara.

Meeting the demands of urban growth in the Santa Clara Valley, the courses in commerce and finance were likewise amplified in 1926 and the University's School of Business Administration began. The Graduate School of Business was started in 1958 in recognition of the continuing important growth of the region as a business and financial center.

From the 1930's through World War II, the University's enrollment was relatively small. With the return of many war veterans came an enlarged student body, new resources and an expanded curriculum that led Santa Clara into a new era of rapid growth and development.

From the post-war period to the present time, the face of the campus has been changing and expanding. Eighteen new buildings costing approximately \$15 million have been added on the 67-acre campus. Today, the University has total assets of more than \$55 million and an annual budget of some \$13 million.

In 1961, the University announced a major change in policy and accepted women students for the first time. Now fully coeducational, the undergraduate student body numbers 3,286 which includes 1,191 women. The Law School and graduate programs in education, engineering, business, history, mathematics and English bring the total enrollment to 5,902.



The University is accessible by all major railroads, by major airlines via San Francisco and Oakland International Airports and by United Airlines, Air California, Air West and Pacific Southwest Airlines at San Jose Municipal Airport—about three miles from the campus.



# Aims and Objectives

The University of Santa Clara is an institution of higher learning founded by the Jesuit Fathers in 1851. The University is governed by a Board of Trustees of laymen and Jesuits.

Its principal objective is to provide superior undergraduate education in the liberal arts, in the sciences and in the professions of business and engineering to a student body of limited size and of high ability.

It also offers selected graduate programs in business, engineering, law and humanities and sciences.

It presents programs in theology, scripture, and other religious studies which include the major religious traditions but with emphasis on the Catholic tradition.

It encourages research as an important part of graduate and undergraduate education.

It encourages experimentation and innovation in teaching methods and curriculum to make the education more relevant to contemporary society and the needs of modern man.

It welcomes professors and students of all races, religions, and national origins.

It provides special assistance to disadvantaged students, not only to help solve social injustice, but also to diversify the student body in a way that will better prepare all the students to contribute to a pluralistic society.

Within this diversity it offers the opportunity for spiritual growth in private life and in the Christian community and worship which it fosters.

It is a scholarly community in which students, professors and administrators, united in the search for truth, are actively involved in the formulation and implementation of institutional policy, and share responsibility for creating and maintaining an atmosphere in which all have freedom to learn, freedom to inquire and freedom to express themselves.

Santa Clara recognizes the importance of bringing to students, professors and the community at large, current and influential thought from the mainstream of contemporary life in philosophy, literature, science, the arts, politics, religion and other cultural areas through public discussion, seminars, conferences and exhibitions. These will not necessarily reflect the University position, nor agree with majority opinion, and they will not constitute an endorsement since they may represent divergent views.

Board of Trustees  
University of Santa Clara  
November 19, 1968



## **The School of Law**

The School of Law seeks to graduate lawyers who are competent and ethical. To this end, the curriculum is directed to a study of the procedures by which courts and other judicial bodies decide controversies and a study of the legal rules and principles which guide them.

The School of Law provides thorough training in the fundamental processes, principles, and reasonings of English and American law. It strives to develop in its students a high moral regard for the law that they may better appreciate the great contribution the legal profession can make to society.

The general method of instruction followed is the case system in which the student is called upon to analyze and discuss selected cases from various jurisdictions. A constant effort is made to challenge the student's mind as well as to guide him in his search for knowledge.

The administration and faculty of the School of Law believe that the most effective teaching frequently is not teaching in any formal sense. Intellect and moral character are not developed merely in formal class sessions. Therefore, the School of Law is committed to a policy of maintaining intimacy and contact between professor and student during classes and throughout the day. Full-time faculty members are available for consultation with students throughout the day.

## **ACCREDITATIONS AND MEMBERSHIPS**

Approved by the American Bar Association  
Member, Association of American Law Schools  
Accredited by the State Bar of California  
Member, Conference of Western Law Schools  
Member, Conference of Jesuit Law Schools  
Member, Law School Admission Test Council

## **LAW LIBRARY**

The Edwin A. Heafey Law Library is adjacent to the Law School classroom and office building, Bergin Hall.

The law library is the lawyer's laboratory, and The Heafey Law Library is equipped and operated to advance this principle. The collection of 60,000 volumes contains all the materials recommended by the Association of American Law Schools. In addition to the large reading room, students may use open and closed carrels for study. The Law School administration constantly seeks to improve library facilities and the utility of the collection to students and faculty.

In addition, students at the Law School may use the University's principal library facility, the Michel Orradre Library.

## **LAW REVIEW**

The highest honor which the Law School offers to a student is the opportunity to participate in editing the *Santa Clara Lawyer*. Superior students are invited by the Dean and faculty to compete for a position on the law review staff, usually at the end of the first year of attendance.

The *Lawyer* is a scholarly journal, available in most American law libraries. It is general in scope, but has tended to print articles in the fields of jurisprudence, public law, and special aspects of California law concentrating on proposed reforms.

The *Santa Clara Lawyer* evolved from a law-record type of newspaper which was published several times a year beginning in the 1940's. In 1951, an intramural law periodical, the *Bergin Hall Review*, appeared briefly. Ten years later, the law faculty elected to merge the then existing intramural publication into a newly established law review. In 1961, the first issue of the *Santa Clara Lawyer* appeared in conventional form as a semiannual journal.

Students plan, organize, and edit the *Lawyer*, with the assistance of a faculty adviser. The editorial training combines originality, resourcefulness, training in writing and research, and individual critical appraisal.

## **THE LAW SCHOOL FORUM**

During the year, the Law School Forum invites distinguished lecturers to speak on subjects within their particular competence. The speakers' insight and familiarity with complex fields of law, government and politics is of great practical and educational value. All students are urged to attend and members of the public are invited.

## **INSTITUTE OF CONTEMPORARY LAW**

The Institute sponsors and supports studies of the legal problems which arise wherever municipal, state, and federal jurisdictions meet and interact. It carries on its work through special programs, publications, symposia, seminars, and lectures.

The staff of the Institute is the law faculty augmented by faculty members from other departments of the University when the needs of particular projects so require. Students of the School of Law assist the faculty in Institute projects on an invitational basis.

## **INTERNSHIP AND CLINICAL PROGRAMS**

All students are encouraged to acquire practical legal experience before graduation. This is made possible by a program designed to enable students to work in law offices while still in law school.

Students in the program may work full-time in the summer between the second and third year of school. Third year students may also work part-time during the school year. The work may be done in a public or private law office. The student intern must secure the prior approval of the Dean before undertaking internship in any office and must report to the Dean on the work he has done. In addition, a member of the faculty reviews the student's work with the employing law office. Course credit toward graduation may be earned in this program.



Student interns often work in the legal aid clinic of the Santa Clara County Legal Aid Society, the offices of the Public Defender, District Attorney, and California Rural Legal Assistance, and the legal offices of the county, state and federal governments. Others work on community projects. "Casa Legal" (a store-front service to the Spanish speaking community of San Jose, founded by the Santa Clara Chicano Law Society), a prison reform project, and a project on consumer protection are currently in operation. Many have worked in private offices throughout California.

The Law School attempts to place students in cooperating law offices, but employment found by the student on his own initiative may also be approved. Evening division students regularly employed in law offices should consult with the Dean if they wish to qualify some part of this employment under the internship program.

## **EVENING DIVISION**

Evening law instruction at this Law School was instituted in September 1962. The evening program runs four years and graduates are awarded the J.D. degree. Faculty, courses, credits, and requirements are substantially the same as in the day division. Elective course offerings are necessarily somewhat more restricted in the evening division.

## **SUMMER SESSION**

Summer session law courses are open to students who have satisfactorily completed the first year of law study.

Courses taken in the summer session may be credited toward the professional degree, but time so spent may not be counted as part of the required portion of residence. Students may find it advantageous to take one or more courses offered in the summer so that they may elect advanced or specialized courses in the third (or fourth) year.



# **ADMISSION**

## **Prelegal Preparation**

No specified prelegal course is demanded beyond the admission requirements detailed below. The emphasis in legal education, however, is upon development of the ability to analyze and synthesize, and training in clarity and conciseness to the expression of this ability. Hence, those undergraduate courses which advance this general development should be pursued.

Any subject may be taught and studied from an analytical point of view, including those of the fine arts, so that any sound program leading to an academic degree may be followed. There are certain subjects which undoubtedly lend themselves more to this growth than others: philosophy, logic, mathematics, the physical, biological and social sciences, to name but a few. Law draws heavily on knowledge in all fields, however. A student is well advised to insure that his undergraduate program is broad rather than specialized.

Of great importance to the success of a student in law is the ability to express his learning in clear and precise terms. Once a problem is analyzed, all further steps require the ability to express his thoughts adequately in written and oral English. Therefore, it is recommended that prelegal students take three years of college English, emphasizing expository and argumentative compositions. All examinations in the School of Law and before the State Bar of California are in written form.

It is imperative that good study habits be developed. The prelaw student should seek to develop a planned, mature, self-scheduled, and self-disciplined program of study. Prelegal students capable of tackling, organizing and successfully concluding a research problem of their own initiative will find the study of law stimulating and profitable.

## **Admission to First Year Day and Evening**

Admission to the School of Law is selective. The Committee on Admissions will consider carefully the qualifications of each applicant as to character, intellectual ability, the prospect for success in law studies, and professional promise.

Applicants for admission to the professional curriculum of the School of Law, leading to the degree of Juris Doctor (J.D.), must have received a baccalaureate degree from a university or college of approved standing. The program leading to such degree will be examined by the Committee on Admissions with a view to the intellectual value of the courses contained therein.

The applicant must submit with his application at least two letters of recommendation as to his character and integrity. Whenever possible, the references should include a member of the Bar and a former professor.

The applicant must submit a satisfactory score on the Law School Admission Test. The test is given five times a year at examination centers conveniently located throughout the United States. The test is given at the University of Santa Clara School of Law. No special preparation is suggested, since the test is designed to measure legal aptitude, ability, writing skill, and general background, rather than knowledge of subject matter. Test score is only one of the factors considered in passing on admission to the Law School. Forms and information may be obtained from the Admissions Office, University of Santa Clara School of Law, or directly from the Educational Testing Service, 20 Nassau Street, Princeton, New Jersey 08540.

Applicants will be accepted on the basis of their presumptive fitness to pursue the study of law with success as indicated by their college records, Law School Admission Test score, information as to character and fitness contained in the application forms and letters of recommendation, as well as by other data available or required. The Committee on Admissions places some emphasis on the work done in the last two years of undergraduate study. The Committee may require that an applicant appear for an interview.

The School of Law is open to men and women of good character.

Students beginning their professional work are admitted only in September. Applicants seeking admission in September should apply in the preceding Spring. Admissions are limited in number and early application is the wisest course to follow.

All students are expected to carry a program of courses which will permit them to graduate in the prescribed time, i.e., three years in the day division and four years in the evening division. One year extensions of both limits may be granted in cases of hardship.

### **Admission to Advanced Standing**

Applicants who have completed one year of study in a law school approved by the American Bar Association and a member of the Association of American Law Schools may be considered for admission to advanced standing. The applicant's qualifications must be such that he would have been permitted to enter the School of Law as a first year student. The work for which credit is sought must have been of superior quality.

The Committee on Admissions will evaluate the applicant's record and determine the credit to be allowed toward graduation. The applicant must be eligible for re-admission to the law school previously attended. A student who is admitted to advanced standing must complete his last two academic years in residence in the School of Law.

### **Admission Procedure, Day and Evening Division**

The applicant must:

1. File the required form with the Office of Admissions, School of Law.
2. Take the Law School Admission Test.
3. Send official transcripts of all courses taken at every institution of higher learning attended. Information as to courses in which the applicant is presently enrolled must be furnished.
4. Deposit \$100 with the Office of Admissions when he is notified that he has been accepted. This money will be applied as a deposit on tuition and is non-refundable except on properly documented evidence of illness or of a call to military service. Information as to registration will be sent automatically thereafter.

NB. All inquiries concerning the Law School should be directed to the Office of Admissions, School of Law.

### **Military Science**

Candidates for a law degree who qualify for and are selected for the Advanced Course in Military Science may be commissioned on completion of the advanced program. They may be excused from reporting for active duty for a maximum period of

three years, to obtain the Juris Doctor degree and to take the bar examination given next after graduation in the state of their choice.

### **Auditors**

Attorneys and judges may enroll as auditors in specific subjects in the fields of their professional interests. Auditors pay the prescribed auditor's fee but take no examinations and receive no academic credit for work completed.



## **ACADEMIC REGULATIONS**

### **Orientation**

Instruction at the Law School begins with an orientation program designed to introduce new students to the legal profession, the study of law and the Law School itself. The program is a full-day affair held in advance of registration. Announcement of the exact dates and times is included in the information sent to all applicants. All first year students, day and evening, are required to attend the program.

### **Attendance**

The School of Law requires punctual and regular attendance of students at classes. A professor may assess penalties in his sole discretion for tardiness or absence.

### **Examinations**

Written final examinations are required at the end of each course. Examinations are conducted under a number system in which students remain anonymous to the grader. Additional examinations may be scheduled at the option of the faculty. If a student is unable to take an examination at the time scheduled, several days prior to the time of the examination or at the time that an emergency arises he must notify the Office of the Dean, in writing, of his anticipated absence and the reason therefore. If the excuse is not acceptable, or if the student fails to give prompt notice, a grade of F will be recorded. If the excuse is acceptable and the notice timely, the student may be permitted to take a deferred examination at the discretion of the faculty. A deferred examination fee of \$15.00 must be attached to the petition to take the examination. Ordinarily, the deferred examination, when permitted, will be at the next date an examination in the course is regularly given.



## Grading

The grade earned in each course is recorded by alphabetical designation as shown below:

A = 4.00; B+ = 3.67; B = 3.33; B- = 3.00; C+ = 2.67; C = 2.33;  
C- = 2.00; D+ = 1.67; D = 1.33; D- = 1.00; F = 0.00.

"A" denotes outstanding scholarship; the "B" range indicates superior work; the "C" range is satisfactory; and the "D" range describes unsatisfactory, but passing, work sufficient for residence credit only. "F" is failing work, unsatisfactory for both scholastic and residence credit. A student's academic standing is determined by his grade-point average (G.P.A.), which is ascertained by dividing the total grade points scored in accordance with the above norms (e.g., A = 4; B = 3.33; C+ = 2.67), by the number of units of work attempted.

A student who has a G.P.A. of less than 2.33 at the end of his first year will be dismissed for poor scholarship.

At the end of the first year and at the end of every year thereafter, including summer sessions, a student must achieve and maintain a cumulative G.P.A. of 2.33 for all completed courses.

No student will be permitted to register for any summer session if his cumulative G.P.A. is less than 2.33.

A student must maintain a cumulative G.P.A. of 2.33, or better, in order to graduate.

## Disqualification

Any student who is disqualified for poor scholarship at the end of a term may re-examine in any subject, or subjects, completed during that term, in which his grade is 2.00, or less. The student *must* re-examine the *next* time examinations are regularly scheduled in the affected subject, or subjects, in the law school division in which he is registered: *Provided*, however, that he *may* re-examine in the other law school division if an appropriate examination is scheduled there at an *earlier* date. Re-examination to remove a scholastic deficiency will not otherwise be permitted. No student will be permitted to re-examine more than once in any subject. Students who elect to re-examine must advise the Dean in writing of such election at least one month in advance of the regularly scheduled time for such examination and pay a fee of \$15.00 for each examination.

In calculating a student's eligibility after re-examination, the grades in re-examinations will be averaged with all other grades, including the original deficient grades, to determine the student's cumulative grade-point average. A student whose cumulative grade-point average is less than 2.33 on this basis will not be permitted to continue in the law school.

Notwithstanding any of the above, if in the opinion of the faculty, a student does not possess the qualifications necessary for success in the legal profession, he may be disqualified.

*Required* courses are marked by an asterisk in the program of courses in this Bulletin. Students must complete these courses and receive a final grade therein.

## Withdrawal from Courses

No student shall withdraw from a course after completion of the fourth week of the first term of the particular course sequence without consent of the Dean and the

professor teaching the course. A student who withdraws after the completion of the fourth week shall receive the grade of W/F for the course. The faculty by majority vote at a regular meeting may permit him to withdraw with the grade of W.

### **Discipline**

Students must observe the general disciplinary regulations of the University of Santa Clara, as well as the special rules of the Law School as they now exist or as they may be promulgated from time to time.

### **Rights Reserved**

The University and the Law School reserve the right to change the requirements for admission or graduation; modify the arrangement, content, or materials of courses; change tuition fees, class and examination schedules and any regulations affecting the student body. Such changes shall become effective whenever the administration shall determine and may operate retroactively.

The administration also reserves the right to terminate or restrict, for cause, the attendance of any student at any time, or to remove from the list of candidates for a degree the name of any student, should it be in the interest of the University. Upon request of the student, a hearing shall be provided according to the procedures promulgated by the School of Law.



### **Graduation Requirements**

In order to graduate, a student must:

1. Receive credit for the courses prescribed by the law faculty and complete a minimum of 86 semester units in the day division, or 80 semester units in the evening division.
2. Obtain a cumulative grade-point average of 2.33 for his entire law school work.
3. Fulfill the requirements of residence for three academic years in the day division in either this Law School or some other approved law school, the last two academic years of which, in any event, must be spent in residence at this Law School. Students in the evening division must fulfill residence requirements for four academic years and must spend the last two years in residence at this Law School.

No student in the Law School is permitted to take the California State Bar Examination before he has completed successfully the course of study prescribed for the J.D. degree, and until successful completion has been certified by the Dean of the Law School. Immediate expulsion will follow violation of this requirement.

### **Graduation Honors**

A candidate for the Juris Doctor degree who has a grade-point average of 3.00 to 3.24 graduates cum laude; one who has a grade-point average of 3.25 to 3.49, magna cum laude; and 3.50 and over, summa cum laude.

## **STUDENT REGISTRATION FOR STATE BAR EXAMINATIONS**

Many state bar associations have promulgated rules which must be complied with before a student is eligible to take the local bar examination. In some states, including California, the student is required to register with the bar examiners at the time he begins his study of law. Other common requirements pertain to acceleration, required courses, minimum course load, and similar matters. In order to assure himself of the opportunity to take the bar examination of his choice upon graduation, the student should familiarize himself with the rules that obtain in that state. He should write to the bar examiners of the state in which he wishes to practice. The Dean's office has information available and will render assistance. Compliance is solely the student's obligation, and early investigation of this matter is of great importance.



# **Student Information**

## **STUDENT HOUSING**

The University maintains twelve dormitories for undergraduate students living on campus. These provide as homelike an atmosphere as possible within the framework of the University's educational requirements.

Dormitory space is open to law students only on a space-available basis after undergraduate requirements have been met. Inquiries should be sent to: Director of Housing, University of Santa Clara.

## **HONORS, AWARDS AND PRIZES**

### **Awards Convocation**

Each spring, the Law School holds a Law Review-Awards Dinner presided over by the Dean. Awards, prizes and certificates for outstanding performance are presented at this time.

**LAW REVIEW.** The senior editors and staff of the *Santa Clara Lawyer* receive engraved certificates and keys.

**INTRAMURAL MOOT COURT COMPETITION.** The winner of the Intramural Moot Court Competition held each year receives a certificate, a book and a subscription to the law review of his choice. The competition is open to students in both the day and evening divisions.

**OUTSTANDING GRADUATE.** This award is made to the graduating senior who best represents the type of student the University of Santa Clara School of Law is proud to graduate, by reason of his demonstrated qualities of scholarship, community leadership, and sense of professional responsibility. Day and evening division students are eligible for this award.

**AWARDS FOR COMMUNITY LEADERSHIP.** Awards for Community Leadership in the form of engraved certificates are made to students who have evidenced cooperation with, and service to, the School of Law and the Student Bar Association. Day and evening division students are eligible for these awards.

**THE CHARGIN PRIZE** is awarded to the day division student who has maintained the highest average through the law school course.

**THE CLASS PRIZES.** These are awarded to the student who achieves the highest academic average in each class.

## **STUDENT ACTIVITIES**

### **Student Bar Association**

The student governing body of the School of Law, the Student Bar Association is open to all students enrolled in the School. A charter member of the Law Student Division of the American Bar Association, the Student Bar Association seeks to promote among the law students a consciousness of professional responsibility and to provide a medium for the regulation of student activities generally.

### **Honor Code**

Lawyers are charged with preserving the social and moral code of civilized society. It follows necessarily from this consideration, as well as from the moral philosophy of this Law School, that law students must develop the highest standards of professional honor and integrity.

The Student Bar Association is charged with the preservation and administration of the student honor code, and each student is the censor of his own conduct and that of his fellow students. Law examinations are not proctored by administration or faculty. The code extends as well to the submission of papers and to the everyday affairs of student life. Honor and discipline are the hallmarks of the Santa Clara law student.

### **Saint Thomas More Society**

In the great spirit of the great lawyer and chancellor, the Catholic students of the law school have formed this society, an affiliate of the national organization, to do him honor and to further his belief that death was preferable to compromising or relinquishing his innermost convictions.

The society meets at the call of the chairman and sponsors occasional addresses by distinguished judges and lawyers. The chairman is appointed by the Student Bar Association. A member of the faculty serves as moderator of the society.

Membership in the society is open to all students, Catholic and non-Catholic alike.



# Financial Information

## STUDENT EXPENSES

**Application Fee** ..... \$ 20.00

This charge is to be sent with each application form and is not refundable.

**Tuition per Semester (1971-72)**

**Day Division** ..... 982.50

**Evening Division** ..... 695.00

**Late Submissions of Administrative Forms, per Day** ..... 2.00

**Additional copies of Student's Transcript of Grades** ..... 1.50

**Graduation** ..... 25.00

**Fee for each change in scheduled course** ..... 2.00

A law student in the Day Division taking less than ten (10) semester units will be charged on the basis of \$75.00 per semester unit.

A law student in the Evening Division taking less than eight (8) semester units will be charged on the basis of \$75.00 per semester unit.

These rates do not apply to law students receiving scholarship aid, all of whom are considered to be full-time students.

Payment of tuition and fees is expected on, or before, registration day. All checks should be made payable to the University of Santa Clara and mailed to the Office of the Treasurer.

For those who are not financially able to pay the full term charges in advance, there are several tuition plans administered by outside financing agencies which are available. Those who plan to avail themselves of one of these independent financing services should request information from the University at least three months prior to registration.

### Refund of Tuition—Day Division

Students who withdraw from the University may receive refunds of tuition according to the following schedule:

For withdrawal prior to the first Monday after registration:

payment refunded minus ..... \$215.00

For withdrawal prior to the second Monday after registration:

payment refunded minus ..... 295.00

For withdrawal prior to the fourth Monday after registration:

payment refunded minus ..... 415.00

No further refunds of tuition will be allowed.

### Refund of Tuition—Evening Division

Students who withdraw from the University may receive refunds of tuition according to the following schedule:

For withdrawal prior to the first Monday after registration:

payment refunded minus ..... \$130.00

For withdrawal prior to the second Monday after registration:

payment refunded minus ..... 180.00

For withdrawal prior to the fourth Monday after registration:

payment refunded minus ..... 265.00

No further refunds of tuition will be allowed.

## FINANCIAL AIDS

Scholarships are available to those who demonstrate unusual potential for the study of law. These scholarships are distributed among students in all three classes of the School of Law, and a fair proportion is designated for first year students.

In awarding scholarships, the faculty considers need as well as undergraduate and law school scholastic achievement. Generally, scholarships are continued as long as the student maintains a superior level of performance in his law studies. Applications for scholarships should be addressed to the Dean and should be renewed each year.

Law students may qualify for loans on the same basis as other students at the University through the Office of Financial Aids. Among the programs available are the National Defense Student Loan program, United Student Aid Funds Inc., and Federally Insured Loans.



## STUDENT EMPLOYMENT

Law study is hard, full-time work. The law program is predicated on day students holding no outside employment and evening students holding only ordinary employment.

It is recommended that no day student hold employment for more than fifteen hours a week. Studies have shown that day students employed twenty or more hours a week while pursuing a full-time law program almost invariably find their grades marginal or deficient.

This Law School is sympathetic to the student with limited funds, but its programs cannot be varied to accommodate the working student. Those who find it necessary to work more than twenty hours a week should enroll in the evening program. Even in the evening program, students should seek ways of shortening the number of hours devoted to the job or lightening the work load.





# Course Description

## PROFESSIONAL COURSES

Numbers after course names indicate semester units.

### First Year

**101. LEGAL RESEARCH AND WRITING\* (1-1)**

Nature and use of law books, including practical problems in the use of reports, statutes, encyclopedias, digests, periodicals, citation books.

**102. CONTRACTS\* (3-3)**

The formation of contracts, offer and acceptance, consideration, joint and several contracts, third-party beneficiary contracts, assignment, statute of frauds, excuses for nonperformance, damages, remedies.

**103. TORTS\* (3-3)**

Liability and defenses for intentional and negligent injury to persons and property, liability without fault, causation, nuisance, survival and wrongful death, misrepresentation, defamation, right of privacy, malicious prosecution.

**104. PROPERTY\* (3-3)**

Real property. Adverse possession, conveyancing, deeds, estates, recording, landlord and tenant covenants, easements, licenses, waste, equitable servitudes, fixtures, zoning, subdivision regulation, eminent domain, etc.

**106. CRIMINAL LAW\* (3)**

Substantive law of specific crimes and the nature of the criminal act.

**114. PLEADING AND CIVIL PROCEDURE\* (2-2)**

Jurisdiction, forms of action, pleading, civil procedure, historical development and modern practice.

**115. CRIMINAL PROCEDURE\* (3)**

Procedure concerning the enforcement of criminal law with special emphasis on constitutional doctrines.

### Advanced Courses (Required and Elective)

**201. EVIDENCE\* (2-2)**

Civil and criminal evidence with particular reference to California rules, problem of proof, judicial notice, real proof, testimonial proof, circumstantial proof, procedural considerations, hearsay, and exclusionary rules.

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\*Required

**202. BUSINESS ORGANIZATIONS\* (3-2)**

Problems of formation, management, control, capitalization, dividends, reorganization, dissolution.

**203. WILLS AND ADMINISTRATION (3)**

Intestate succession and testamentary capacity, execution of formal and holographic wills, revocation and revival, pretermitted heir and lapsed gifts, ademption, advancements, increase and exoneration.

**205. AGENCY AND PARTNERSHIP (3)**

Principal and agent, ratification, respondeat superior, accounting, scope of employment, express, implied and apparent authority, liability to third parties, termination of status. Partnerships, joint ventures, sole proprietorship.

**206. TRUSTS AND ESTATES (3)**

Nature and creation of trusts, resulting and constructive trusts, administration and termination, rights and duties of trustees and other parties. Estates, class gifts, rule against perpetuities, powers, restraints.

**209. APPELLATE ADVOCACY AND MOOT COURT (2)**

Preparation and presentation of a case before an appellate tribunal, including written briefs and oral argument. Residence credit only.

**211. EQUITY\* (3)**

Origin and nature of equity jurisdiction, specific performance of contracts, equitable relief.

**212. COMMERCIAL LAW I (3)**

Creation, validity, priorities and enforcement of security interests in tangible and intangible personal property under Article 9 of the Uniform Commercial Code. Regulation of consumer credit under special state or federal laws.

**213. COMMERCIAL LAW II (2)**

Sale of goods under Article 2 of the Uniform Commercial Code, commercial paper under Article 3, letters of credit under Article 5, bulk sales under Article 6 and documents of title under Article 7.

**301. COMMUNITY PROPERTY (2)**

Marital community, property interests as separate or community, management and control, liability for debts, dissolution of the community.

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\*Required

**304. CONFLICT OF LAWS\* (3)**

Sources and development of private international law, jurisdiction of courts and foreign judgments, conflict of laws with respect to procedure, wrongs, contracts, property, business organizations, and administration of estates.

**305. CONSTITUTIONAL LAW\* (2-3)**

Judicial review, immunities of federal and state governments, federal delegated powers and reserved state powers, federal powers as limitations on state powers, individual rights as limiting federal and state powers.

**306. THE LEGAL PROFESSION\* (1)**

Legal ethics and professional standards, the lawyer's responsibility to client, profession and public.

**308. FEDERAL INCOME TAXATION (2-2)**

Problems of the business and nonbusiness taxpayer, capital gains and losses, corporations and shareholders, partners and partnerships, tax practice and procedure, accounting and income taxation.

**309. ESTATE PLANNING AND GIFT TAXATION (3)**

Taxation of lifetime and testamentary transfers, including tax problems in estate planning.

**403. LABOR LAW (3)**

The labor movement, common law of labor, union organization, recognition, collective bargaining, wages and hours, strikes and picketing, anti-injunction and antitrust laws.

**404. FAMILY LAW (3)**

Marriage, annulment, dissolution, separation, alimony, support and property settlements, intrafamilial rights and obligations, guardianship, legitimation, adoption, child custody, Juvenile Court Law.

**405. SECURITY TRANSACTIONS (2)**

Mortgages, deeds of trust, pledges, liens, chattel mortgages, conditional sales and trust receipts, rights of redemption, discharge, subrogation and exoneration.

**406. LOCAL GOVERNMENT LAW (2)**

Legislative process in municipalities, districts and counties, duties and responsibilities of public officers and boards, zoning, subdivision, annexation, building regulations.

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\*Required

**407. GOVERNMENT REGULATION OF BUSINESS (3)**

Contracts and combinations in restraint of trade, unfair competition, antitrust laws and regulation of methods of competition, governmental regulation of misrepresentation and pricing practices.

**410. ADMINISTRATIVE LAW (3)**

Powers of, and procedures before, administrative tribunals, executive, legislative, and judicial control of the administrative process, exhaustion of remedies, appeal, federal and state administrative procedure acts.

**417. LEGISLATION (3)**

Legislative power, organization and operation of legislative bodies, legislative process, interpretation of statutes, drafting and enforcement of legislation.

**418. DEBTOR'S AND CREDITOR'S RIGHTS (3)**

Insolvency, receivership, debtors' choice of remedies, petitions, claims and dividends of creditors, exemptions.

**419. GOVERNMENT CONTRACT LAW (3)**

Legal aspects of United States government contracts and subcontracts, differences from standard commercial contracts, review of applicable laws and regulations, discussion of relevant court and administrative decisions.

**420. INTERNATIONAL LAW (3)**

Public international law and related problems of United States law, including brief examination of selected international organizations and of a typical commercial treaty, emphasizing matters of interest to practicing lawyers.

**421. SECURITIES REGULATION (3)**

Governmental regulation of the issuance and sale of corporate securities; registration processes, exempt transactions, exempt securities, statutory fraud, criminal penalties, and procedures. Development of a federal common law of corporations; impact of securities regulation upon stockholder management relationships.

**422. LAND USE (3)**

Legal problems relating to land development: Subdivision regulation, zoning, master planning, condemnation, urban renewal, and equitable servitudes.

**423. LEGAL PROBLEMS OF POOR PERSONS (3)**

This course deals with selected legal problems of poor persons. Among the areas from which the problems are selected are: Housing and welfare issues, work conditions and related issues, consumer protection, family relations and ethnic problems.

**424. TRIAL PREPARATION AND PRACTICE (3)**

Concentration on the preparation and trial of contested cases. Students will interview and depose witnesses, try and argue cases. The demonstrations will be recorded on video tape for play-back and critique by the class and instructor. Toward the end of the course each student will try an entire hypothetical case. Prerequisite: Evidence.

**430. LEGAL ACCOUNTING (2)**

Study of basic accounting principles and their application to law. Not open to students with a substantial accounting background.

**431. RESTITUTION (3)**

Quasi-contract and equitable remedies for the recovery of benefits conferred as a means of preventing unjust enrichment; including constructive trusts, subrogation, contribution, equitable liens.

**432. INSURANCE (2)**

Formation of insurance contracts, coverage, risks, indemnity, subrogation, co-insurance.

**433. LAW REVIEW (2)**

Residence credit, as indicated, is given to staff members of the *Santa Clara Lawyer* for satisfactory performance of editorial and writing assignments.

**435. INDIVIDUAL RESEARCH (1 to 3)**

Seminars in legal problems directed by the instructional staff.

**436. INTERNSHIP (2)**

Work in approved private and public law offices, or in the Law School Clinic, under faculty supervision. Arrangements must be made in advance with the Dean's office. Residence credit only.

**437. PHILOSOPHY OF LAW (2)**

The sources and purposes of positive law, its foundations and derivations, and its relation to ethics and society.  
NB. This course is open to upperclassmen in the undergraduate colleges and schools.

**438. TEACHING ASSISTANTSHIPS (1-1)**

In legal research and writing. Assistants selected by the law faculty. Residence credit only.

**439. THE LEGAL PROCESS (3)**

The functions of and the interrelationships among the several institutions that make up the legal system—legislatures, courts, executive officers, administrative agencies as well as the legal profession itself. The scope of private decision-making within the institutional framework.

**440. FEDERAL COURTS AND JURISDICTION (3)**

A basic introduction to the nature and operation of the Federal Courts System from the viewpoint of a potential practitioner. The judicial power of the United States, the nature of a federal question, diversity of citizenship, jurisdictional amount, removal jurisdiction. The Erie doctrine and abstention. Process, pleadings, joinder, discovery. Appellate jurisdiction of the Courts of Appeals and the U.S. Supreme Court.

**441. PATENTS, TRADEMARKS AND COPYRIGHTS (3)**

Statutory and common law protection of industrial and intellectual ideas and symbols. The U.S. Patent, Copyright and Trademark statutes. State trademark protection. Infringement and unfair competition.

**442. LAND FINANCE (2)**

Exploration of the financing techniques available for land development. In addition to discussing the basics of mortgages and deeds of trust, the course will explore syndication, government intervention in land finance, sale and leaseback.

**460. SEMINAR IN FAMILY LAW (3)**

**461. SEMINAR IN JUVENILE COURT LAW (3)**

**462. SEMINAR IN THE CRIMINAL PROCESS (2)**

**463. SEMINAR IN CURRENT SOCIAL-LEGAL PROBLEMS (2)**

**464. SEMINAR IN LAW AND MEDICINE (2)**

**465. SEMINAR IN ENVIRONMENTAL LAW (2)**

**466. SEMINAR IN BODY, MIND, AND LAW (3)**

**467. SEMINAR IN CURRENT CASES IN RESTITUTIONARY REMEDIES (2)**

**468. SEMINAR IN PHILOSOPHY OF LAW (2)**

NB. Some electives are not offered each year. Other electives than those listed may be scheduled, depending on the availability of faculty and on student interest in a particular area.



# UNIVERSITY OFFICERS

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George A. Strong, B.S., A.M., J.D. . . . . . *Associate Dean*

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San Jose, California

**A. L. Buonaccorsi** (1975)  
San Leandro, California

**George B. Byrnes** (1975)  
Palos Verdes, California

**Edward S.J. Cali** (1974)  
Cupertino, California

**Alfonso Callejas** (1972)  
Managua, Nicaragua

**John A. Chartz** (1975)  
San Mateo, California

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**Vernon J. Cristina** (1972)  
San Jose, California

**Norton S. Curtis** (1972)  
San Jose, California

**Jack F. Daly, Jr.** (1975)  
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**James B. Daugherty** (1973)  
Hollywood, California

**Emery Delmas** (1975)  
Saratoga, California

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Greenbrae, California

**Frank W. Doherty** (1975)  
Pasadena, California

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**Michael E. Fox** (1974)  
Saratoga, California

**William Earl Freitas** (1975)  
San Jose, California

**E. Jackson Going, Jr.** (1975)  
San Jose, California

**Gerald Graham** (1971)  
Los Gatos, California

**Robert T. Greene** (1973)  
San Jose, California

**Michael Guerra** (1974)  
San Jose, California

**Frank M. Hagan** (1975)  
Atherton, California

**Anthony P. Hamann** (1975)  
San Jose, California

**Robert G. Hill** (1973)  
Palm Springs, California

**Mervin Houser** (1975)  
Los Angeles, California

**C. Kenneth James, Jr.** (1972)  
Santa Rosa, California

**Rafer Johnson** (1973)  
Los Angeles, California

**Merle R. Jones** (1975)  
San Jose, California

**Arthur F. Kelly** (1975)  
Los Angeles, California

**August G. Kettman** (1971)  
Palm Springs, California

**Paul Laxalt** (1971)  
Carson City, Nevada

**Edward A. Lewis** (1975)  
San Jose, California

**Melvin G. Lewis** (1975)  
Hillsborough, California

**James B. Ludwig** (1972)  
San Jose, California

**William M. Macia** (1975)  
San Jose, California

**William J. Mahaney** (1973)  
Palm Springs, California

**Tom Mason** (1971)  
Fresno, California

**Lawrence L. May** (1975)  
San Jose, California

**Richard A. McCormick** (1974)  
Fresno, California

**Robert F. McCullough** (1973)  
Greenbrae, California

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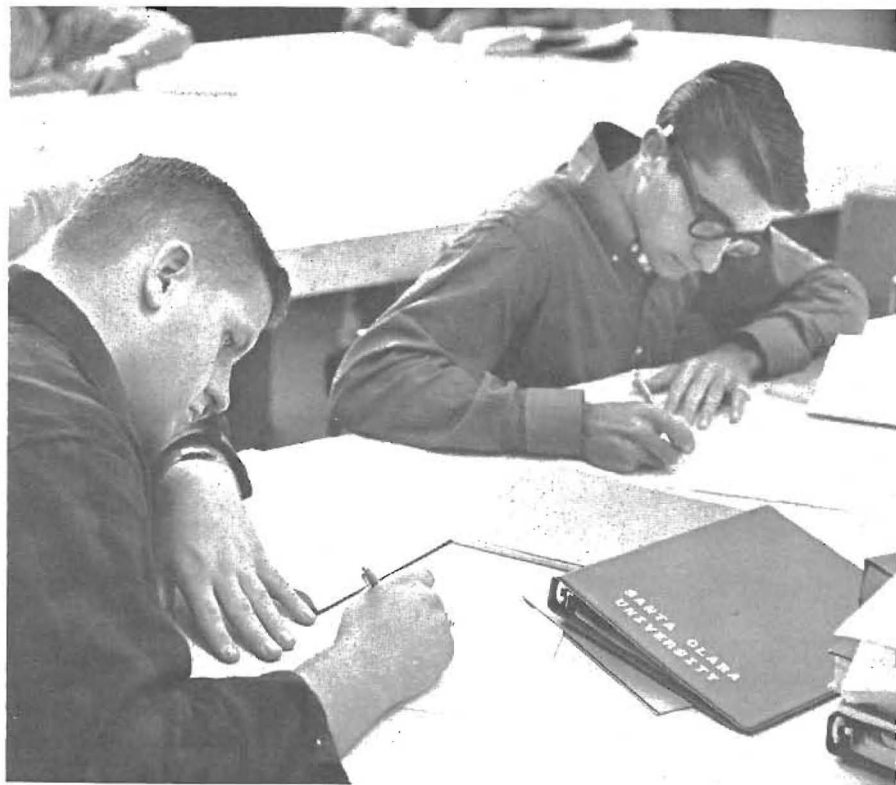
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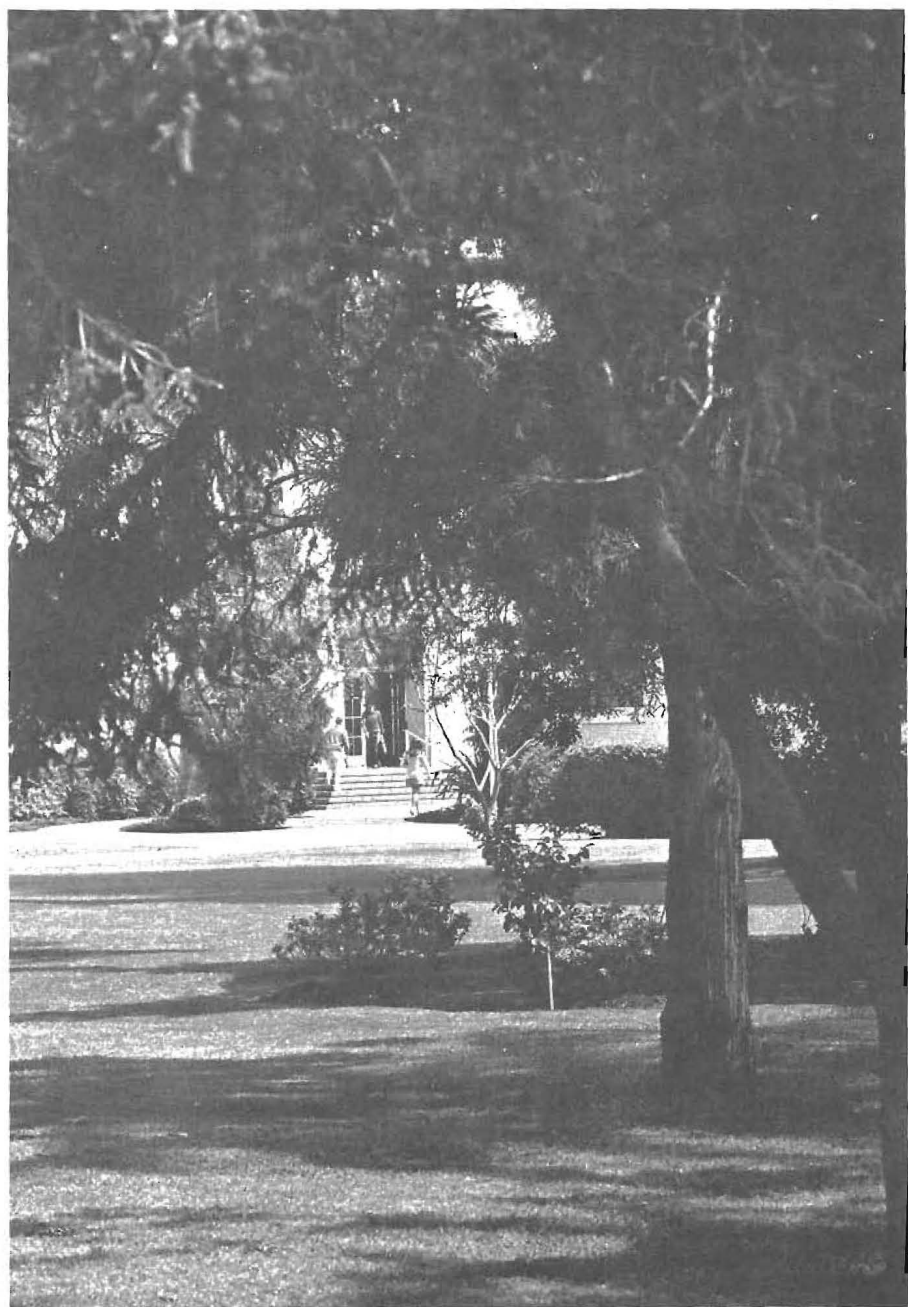
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